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Signature Daniel M. Kennedy

PUL01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Basok B., et al

Serial No : 10/082,065

Filed : Feb. 26, 2002

For : Pulse Energy Transformation

Group Art Unit : 1761

Examiner : Robert Madsen

Rockville, MD 20850

Commissioner for Patents

Mail Stop: Patent Application

P.O. Box 1450

Alexandria, VA 22313-1450

Response to Election/Restrictions Office Action dated 03/19/2004

Dear Sir:

Claims 1-12 are pending in the instant application. Examiner finds that there are six patentably distinct species of energy distinguished in the claims to the invention.

The captioned Office Action requires Applicants under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is held to be allowable. Examiner finds Claim 1 to be generic.

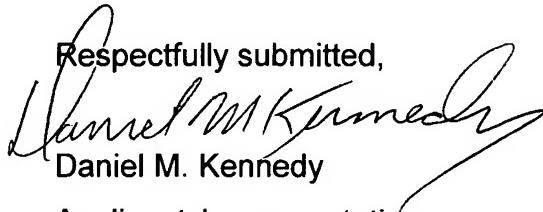
Applicants hold that in order to adequately search the matter claimed in generic claim one it would be necessary for Examiner to search the matter claimed

in all the claims relating to the various energy species. Therefore, Applicants respectfully traverse the requirement applied under 35 U.S.C. 121 and ask Examiner to complete the search of the prior art for all of claims 1-12.

However, despite Applicants' traversal of the election requirement, should Examiner be unpersuaded by the included reasons for searching all claims and to further the prosecution of the application, Applicants hereby elect claims 1 through 4 and claim 12 for prosecution via this application.

In a telephone conference with Examiner on April 6, 2004 wherein the merits of the Restriction/Election requirement were discussed an agreement was reached by Examiner and applicants' representative that claims 1 through 4 and claim 12 are elected for further prosecution.

Respectfully submitted,



Daniel M. Kennedy

Applicants' representative

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